

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

EDGAR MUNIZ,  
a/k/a "Edgar Munoz,"  
a/a/a "the Professor,"

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
INFORMATION MAY 28 2008  
08 Cr.

COUNT ONE

The United States Attorney charges:

1. From at least in or about 1995, up to and including in or about January 2008, in the Southern District of New York and elsewhere, EDGAR MUNIZ, a/k/a "Edgar Munoz," a/k/a "the Professor," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that EDGAR MUNIZ, a/k/a "Edgar Munoz," a/k/a "the Professor," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one kilogram and more of heroin, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

COUNT TWO

The United States Attorney further charges:

3. In or about 2007, in the Southern District of New York, EDGAR MUNIZ, a/k/a "Edgar Munoz," a/k/a "the Professor," the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit, the offense charged in Count One of this Information, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, a loaded handgun, which MUNIZ brandished in furtherance of the crime charged in Count One of this Information.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

COUNT THREE

The United States Attorney further charges:

4. On or about January 18, 2008, in the Southern District of New York, EDGAR MUNIZ, a/k/a "Edgar Munoz," a/k/a "the Professor," the defendant, after having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, (i) a conviction on or about December 3, 1997, for criminal possession of a controlled substance in the fifth degree, a class D felony, in New York Supreme Court, Bronx County, and (ii) a conviction on or about

April 5, 1977, for criminal sale of a controlled substance in the second degree, a class C felony, in New York Supreme Court, New York County, unlawfully, willfully, and knowingly did possess in and affecting interstate commerce, a firearm, to wit, a loaded Smith and Wesson .357 caliber handgun, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

**FORFEITURE ALLEGATION**

5. As a result of committing the controlled substance offense alleged in Count One of this Information, EDGAR MUNIZ, a/k/a "Edgar Munoz," a/k/a "the Professor," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

**Substitute Assets Provision**

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value;  
or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

  
MICHAEL J. GARCIA *DJR*  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v -

EDGAR MUNIZ,  
a/k/a "Edgar Munoz,"  
a/k/a "the Professor,"

Defendant.

---

INFORMATION

08 Cr.

(Title 21, United States Code,  
Section 846; Title 18, United States Code,  
Sections 922(g)(1) and 924(c)(1)(A)(ii).)

---

MICHAEL J. GARCIA  
United States Attorney.

5/22/08 - Defl. produced by US Marshals, present w/ atty No. 700000.  
HUSA Jackson present. Defl. appears as charged in  
information. Defl. enters plea of not guilty. Court accepts plea.

---

Defl. files prior felony information. Defl. withdraws previous  
plea of not guilty & enters plea of guilty to counts 1, 2 & 3. Allocution  
conducted, Court accepts plea. PSK is not ordered. Control conference  
is scheduled for 6/12/08 at 4PM. The defl. is continued remanded.

Patterson, J.